

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANITA D. PARATLEY,

No. C 05-4312 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

CONSECO HEALTH INSURANCE
COMPANY, et al.,

Defendants

The parties having advised the Court that they have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: November 17, 2006


MAXINE M. CHESNEY
United States District Judge